

JUDGE'S COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SYDNEY BRADSHAW
Petitioner

No. 1:CV-01-0756

v.

(Judge Caldwell)

IMMIGRATION AND NATURALIZATION
SERVICE,
Respondent

RESPONSE TO RESPONDENT'S RESPONSE TO
PETITIONER'S WRIT OF HABEAS CORPUS

FILED
HARRISBURG, PA

JUN 1 2 2001

MARY E. D'ANDREA, CLERK
PER 9/8 DEPUTY CLERK

SYDNEY BRADSHAW
YORK COUNTY PRISON
3400 CONCORD ROAD
YORK, PA. 17402

Dated: May 29, 2001

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SYDNEY BRADSHAW
PETITIONER

V.

IMMIGRATION AND NATURALIZATION
SERVICE
RESPONDENT

No. CV-01-0756

(Judge Caldwell)

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JUN 12 2001

PETITIONER'S REBUTALL TO RESPONDENT'S RESPONSE
TO PETITIONER'S WRIT OF HABEAS CORPUS

MARY E. DYANDREA, CLERK
PER *[Signature]* DEPUTY CLERK

Now comes Petitioner and states that the Service (I.N.SS) has provided sufficient credible evidence that petitioner is not entitled to derivative citizenship; However as previously stated by petitioner in immigration court petitioner was obliged to obtain citizenship by naturalization as a prerequisite for working for the New York Transit Authority in 1973-74.

Petitioner in 1974 filed all necessary documents with the I.N.S. (Justice Department) at 250 Adams Street, in Brooklyn N.Y. and was notified that he had received his U.S. citizenship, and did not need to take the required oath, for petitioner had sworn his allegiance to the United States of America when he enlisted in the U.S.M. Petitioner therefore should have received a certificate of naturalization, but has never received said certificate to date and would like an accounting from the I.N.S. why he has not received the naturalization certificate .

Pursuant to 28 USC § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Respectfully
[Signature]
Sydney Bradshaw
33400 Concord Road
York, PA. 17402

NV

1 to adjourning the case for him to submit an N-600 to the
2 Immigration Service to establish that he's a citizen through
3 derivation, as counsel has motioned?

4 A Yes, Your Honor. I would be opposed. I mean
5 we're only going on counsel's recommendation that the
6 Respondent is a citizen. We have no evidence that, he may not
7 be.

8 JUDGE TO MS. DIAZ

9 Q So counsel, do you want to make out a prima
10 facie case for me to continue this case for your client to
11 submit an N-600 to show he is a citizen through derivation?

12 A Yes, Your Honor. It is my understanding that
13 both of Mr. Bradshaw's parents naturalized in 19, the 1960's.
14 We believe it was either in 1963 or 1964. At one point in Mr.
15 Bradshaw's career when he needed to apply for citizenship for a
16 job, he was told at that time he didn't need to take the oath
17 of allegiance because he was already a citizen. We believe we
18 just need a chance to present evidence on that.

19 Q Counsel, why don't you ask for a continuance
20 instead of pleading, to pursue whether he is a citizen or not?
21 We can avoid a lot of problems here.

22 A Okay. It was my understanding, Your Honor, that
23 we pled at the master calendar, individual calendar hearing --

24 Q No, you didn't.

25 A And rescheduled so that --

cc: Kate L. Mershimer
Assistant U.S. Attorney
Assistant U.S. Attorney
288 Walnut Street. 2nd Floor
P.O. Box 11754

I.N.S. Litigation Counsel
3400 Concord Road
York, PA. 17402

Memorable Mention



from the Armed Forces of the United States of America

This is to certify that

PRIVATE SYDNEY IAN BRADSHAW 111 44 5371

was Honorably Discharged from the

United States Marine Corps

on the 11TH day of APRIL 1972 This certificate is awarded
as a testimonial of Honest and Faithful Service

F. K. Wood

F. K. WOOD
CHIEF WARRANT OFFICER-3, USMC

8-20162 2